

IN THE UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY

DAVID GONZALEZ,

Plaintiff,

vs.

BAM TRADING SERVICES, INC., d/b/a BINANCE  
US, a Delaware corporation; BINANCE  
HOLDINGS, LTD, d/b/a BINANCE, a foreign  
company; CHANGPENG ZHAO; JOHN DOES (1-1)  
(fictitious names;) and ABC COMPANIES 1-10  
(fictitious names),

Civil Action No. 2:24-CV-08521-BRM-CLW

Civil Action

**DECLARATION OF COUNSEL**

Defendants.

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I, Eric J. Warner, Esq., of full age, do hereby certify as follows:

1. I am an attorney-at-law of the State of New Jersey and the principal of the law office of Eric J. Warner, LLC.
2. I have represented Plaintiff David Gonzalez since the inception of the above-captioned matter, and I am therefore fully familiar with the facts of this matter.
3. A true and accurate copy of the Cryptocurrency Tracing Report prepared by Cyber Asset Recovery Experts (CARE) is annexed hereto as “Exhibit 1.”
4. A true and accurate copy of the United States Department of Justice’s Press Release, “Binance and CEO Plead Guilty to Federal Charges in \$4B Resolution,” is annexed hereto as “Exhibit 2.”

5. A true and accurate copy of *SEC v. Binance Holdings Ltd.*, Civil Action 23-1599 (ABJ), 2024 U.S. Dist. LEXIS 114924 (D.D.C. Jun 28, 2024) is annexed hereto as “Exhibit 3.”

6. A true and accurate copy of *Napoli v. First Choice Loan Servs. Inc.*, Civ. No. 19-7265, 2020 U.S. Dist. LEXIS 722, 2020 WL 39148 (D.N.J. Jan. 3, 2020) is annexed hereto as “Exhibit 4.”

7. A true and accurate copy of *Cunningham v. Cap. Advance Sols., LLC*, Civ. No. 17-13050, 2018 U.S. Dist. LEXIS 197590 (D.N.J. Nov. 20, 2018) is annexed hereto as “Exhibit 5.”

8. A true and accurate copy of *In re Metformin Mktg. & Sales Practice Litig.*, 2022 U.S. Dist. LEXIS 59804 (D.N.J. Mar. 30, 2022) is annexed hereto as “Exhibit 6.”

9. A true and accurate copy of *Kleiman v. Wright*, 2018 U.S. Dist. LEXIS 246616 (S.D. Fla. Dec. 27, 2018) is annexed hereto as “Exhibit 7.”

I certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.

Dated: September 20, 2024

/s/ Eric J. Warner  
Eric J. Warner, Esq.